

Amendment No. 3 to SB1251

**Gresham
Signature of Sponsor**

AMEND Senate Bill No. 1251

House Bill No. 788*

by inserting the following new section immediately preceding the effective date section and renumbering the effective date section accordingly:

SECTION _____. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section:

(a) Notwithstanding § 10-7-504 or any other law to the contrary, records maintained by an intercollegiate athletics program of a public institution of higher education must be treated as confidential and must not be open for public inspection if the records contain information relating to game or player integrity and that is traditionally not revealed publicly due to the public institution of higher education's need to maintain competitiveness in the sport to which the records relate.

(b) As used in this section, "information relating to game or player integrity and that is traditionally not revealed publicly due to the public institution of higher education's need to maintain competitiveness in a sport" includes, but is not limited to, plays or playbooks; signals; plans, techniques, philosophies, strategies, systems, drills, or schemes for practices, games, or other team activities; recordings of practices, games, or other team activities; assessments of a participant including a player, recruit, game official, or opposing coach; information related to nutrition, medical care, physical therapy, recovery, strength-training, conditioning, or a player's likelihood of participating in a sport or athletic competition; and other information which, if disclosed to the public, reasonably could be used to affect the integrity of a sport, athletic contest, a participant in a sport or athletic contest, or a bet or wager on a sport or athletic contest.

(c) This section does not limit access to records:

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(1) Of a law enforcement agency, court, or other governmental agency that is performing an official function;

(2) That relate to a court's or governmental agency's determination that an individual or a public institution of higher education violated a law; or

(3) That relate to a notice of an allegation by, or a determination of, the National Collegiate Athletic Association (NCAA) that an individual or institution violated a NCAA rule, including, but not limited to, a warning, reprimand, fine, suspension, termination, or other similar action, imposed by a public institution of higher education or the NCAA.

(d) This section does not prohibit a coach or other employee of a public institution of higher education from releasing information related to a player's injury, a player's or team's readiness to participate in a competition, or any other observation or strategy if the release of information is part of the traditional and regular communication that a coach or other employee of a public institution of higher education voluntarily releases to inform the public.

(e) Notwithstanding subsection (a), records, or parts of records, that are confidential pursuant to this section must be released to the public upon a request made in accordance with § 10-7-503 when the public's interest in the content of the records outweighs the interest of game or player integrity or the need to maintain competitiveness in the sport to which the records relate, or when game or player integrity or the need to maintain competitiveness in a sport are no longer relevant due to the passage of time. For purposes of this subsection (e), "public interest" includes, but is

not limited to, accountability of the public institution of higher education, public officials, or employees of the public institution of higher education. This subsection (e) does not apply to records otherwise confidential under state or federal law.

(f) This section is repealed on July 1, 2026.